

Lawrence H. Reichman, OSB No. 860836
LReichman@perkinscoie.com
Nicholle Winters, OSB No. 054155
NWinters@perkinscoie.com
PERKINS COIE LLP
1120 N.W. Couch Street, Tenth Floor
Portland, OR 97209-4128
Telephone: 503.727.2000
Facsimile: 503.727.2222

Howard Skaist, Esq., OSB No 883482
hskaist@bltg-ip.com
Katherine Ford Horvath, Esq. (admitted pro hac vice)
khorvath@bltg-ip.com
BERKELEY LAW AND TECHNOLOGY
GROUP, LLP
17933 Evergreen Parkway, Suite 250
Beaverton, OR 97006-7660
Telephone: 503.439.6500
Facsimile: 503.439.6558

Complete list of counsel on signature page

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

**MELLAND GROUP, LLC d/b/a nTRUST, an
Oregon limited liability company, and ALLAIN
DE LA MOTTE,**

Plaintiffs,

v.

**BERND H. WEBER, CLAUDE J.
CHAUVEAU, AMERICAN GULF
FINANCE CORP., ALVION PARTNERS,
LLC, WEBER, LLC, AGF REALTY
SOLUTIONS, INC., ALEXON HOLDINGS
INTERNATIONAL LTD., TIMEDATA
CORPORATION, TIME DATA
HOLDINGS, LLC, and DOES 1-10,**

Defendants.

No. CV'08-957-AC

PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION

EXPEDITED HEARING REQUESTED

1 - PLAINTIFFS' MOTION FOR PRELIMINARY
INJUNCTION

69726-0001/LEGAL14947565.1

Perkins Coie LLP
1120 N.W. Couch Street, Tenth Floor
Portland, OR 97209-4128
Phone: 503.727.2000
Fax: 503.727.2222

LOCAL RULE 7.1 CERTIFICATION

Pursuant to LR 7.1, Plaintiffs Melland Group, LLC d/b/a nTrust ("Melland") and Allain de la Motte ("de la Motte") (collectively referred to as "Plaintiffs") certify that counsel for Plaintiffs has conferred with *pro se* Defendants Bernd H. Weber ("Weber") and Claude J. Chauveau ("Chauveau") and that they oppose this motion. Entity Defendants have not yet appeared.

MOTION

Pursuant to Fed. R. Civ. P. 65(a), Plaintiffs move this Court to issue a preliminary injunction against Defendants Bernd H. Weber ("Weber"), Claude J. Chauveau ("Chauveau"), American Gulf Finance Corp. ("American Gulf"), Alvion Partners, LLC ("Alvion Partners") and AGF Realty Solutions, Inc. (AGF Realty") (collectively, the "Defendants"). Plaintiffs seek to (1) enjoin Defendants' misappropriation of Plaintiffs' trade secrets; (2) enjoin Defendants' infringement of Plaintiffs' trademark rights under section 43(a) of the Lanham Act; (3) enjoin Defendants' breach of the non-disclosure agreements ("CNDAs") executed by one or more Defendants, on the one hand, and Melland, on the other hand; (4) enjoin Defendants Weber and Chauveau's breach of the fiduciary duties owed to Plaintiffs by Defendants Weber and Chauveau; (5) the immediate return of all documentary Confidential Technology; and (6) identification of all third parties to whom Defendants disclosed or sought to disclose Plaintiffs' confidential information, including identification of the specific information disclosed. Unless and until Defendants are enjoined by this Court, Plaintiffs will continue to suffer irreparable harm due to Defendants' bad acts.

This Motion is supported by the Memorandum in Support, Declaration of Allain de la Motte, Declaration of Robert West, Declaration of Brad Henshaw, and Declaration of Jon S. Crouse and attached exhibits, filed concurrently herewith.

DATED: December 5, 2008

s/ Lawrence H. Reichman

Lawrence H. Reichman, OSB No. 860836

LReichman@perkinscoie.com

Nicholle Winters, OSB No. 054155

NWinters@perkinscoie.com

Perkins Coie LLP

1120 N.W. Couch Street, Tenth Floor

Portland, OR 97209-4128

Telephone: 503.727.2000

Facsimile: 503.727.2222

Howard Skaist, Esq., OSB No 883482

hskaist@bltg-ip.com

Katherine Ford Horvath, Esq. (admitted pro hac vice)

khorvath@bltg-ip.com

Berkeley Law and Technology Group, LLP

17933 Evergreen Parkway, Suite 250

Beaverton, OR 97006-7660

Telephone: 503.439.6500

Facsimile: 503.439.6558

Richard L. Coffman, Esq. (admitted pro hac vice)

The Coffman Law Firm

First City Building

505 Orleans St., Ste. 505

Beaumont, TX 77701

Telephone: (409) 833-7700

Facsimile: (866) 835-8250

rc@cofflaw.com

Attorneys for Plaintiffs